

# AUSTIN CITY COUNCIL

## AGENDA



Thursday, February 15, 2007

Back Print

### **Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action) RECOMMENDATION FOR COUNCIL ACTION**

**ITEM No 61**

**Subject** C14-06-0112 - Slaughter 2-458 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1100 Block of West Slaughter Lane (Slaughter Creek Watershed) from neighborhood commercial (LR) district zoning to community commercial (GR) district zoning Staff Recommendation To deny community commercial (GR) district zoning Zoning and Platting Commission Recommendation To deny community commercial (GR) district zoning Applicant Herby's Joint Venture (Jimmy Nassour) Agent Jim Bennett Consulting (Jim Bennett) City Staff Wendy Walsh, 974-7719

#### **Additional Backup Material**

(click to open)

Staff\_Report

**For More Information**

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-06-0112

**Z.A.P DATE.** December 19, 2006

**ADDRESS** 1100 Block of West Slaughter Lane

**OWNER** Herby's Joint Venture  
(Jimmy Nassour)

**AGENT** Jim Bennett Consulting  
(Jim Bennett)

**ZONING FROM:** LR

**TO** GR

**AREA:** 2 458 acres

### **SUMMARY STAFF RECOMMENDATION**

The Staff recommendation is to deny community commercial (GR) district zoning

If the Applicant's request for GR zoning is granted, then the Staff recommends that development should be limited through a conditional overlay to less than 2,000 vehicle trips per day

### **ZONING & PLATTING COMMISSION RECOMMENDATION**

December 19, 2006 *DENIED THE APPLICANT'S REQUEST FOR GR DISTRICT ZONING*

*[C HAMMOND, J PINNELLI – 2<sup>ND</sup>] (8-1, MARTINEZ – NAY)*

### **ISSUES:**

The Applicant would like to discuss the recommendation of the Zoning and Platting Commission. In addition, the Applicant is willing to prohibit the following automotive uses: automotive rentals, automotive repair services, automotive sales and automotive washing.

A representative of the Texas Oaks South Neighborhood Association spoke in opposition to the Applicant's rezoning request.

### **DEPARTMENT COMMENTS**

The subject platted lot is undeveloped, has direct access to West Slaughter Lane and is zoned neighborhood commercial (LR) district. The south side of West Slaughter Lane east of David Moore Road consists of undeveloped land at that intersection (LR-CO), apartments (MF-2-CO), two single family residences and an upholstery shop (SF-2), a drainage channel, the driveway to a City electric substation (P), an auto repair business (DR), a limited restaurant (LR-MU-CO/ LO-MU-CO) and the entrance to Mary Moore Searight Park (P). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to rezone the lot to the community commercial (GR) district to accommodate unspecified retail uses. With the exception of the day care use at the northeast corner of Chisholm Lane (zoned in 1986 and limited to a day care use and attached site plan),

there are no other GR zoned properties on this segment of West Slaughter Lane. Furthermore, although the property is located on a major arterial roadway, it is not located at an intersection. Staff supports non-residential land uses along Slaughter Lane, but is concerned that community commercial (GR) zoning would set a precedent for a significant depth (over 400 feet) of more intense commercial zoning on tracts that are not located at an intersection and adjacent to residential uses. For these reasons, the Staff recommends retaining the existing LR district zoning on the property.

### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	LR	Undeveloped
<i>North</i>	SF-2, LO, LO-CO, LR-CO, DR, GR	Single family residences, Beauty salon, Realtor, Child care facility, Undeveloped
<i>South</i>	P, SF-1-CO, I-RR	Electric substation, Undeveloped
<i>East</i>	DR, LO-MU-CO, LR-MU-CO, MF-2-CO	Shed, Undeveloped, Auto repair, Mary Moore Searight Park, Apartments
<i>West</i>	LR-CO, MF-1-CO, SF-2, SF-1, RR	Drainage channel, Two single family residences, Undeveloped, Apartments, Upholstery shop

**AREA STUDY:** N/A

**TIA:** Is not required

**WATERSHED:** Slaughter Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** Yes

### **NEIGHBORHOOD ORGANIZATIONS:**

26 – Far South Austin Community Association  
 242 – Slaughter Lane Neighborhood Association  
 262 – Beaconridge Neighborhood Association  
 300 – Terrell Lane Interceptor Association  
 428 – Barton Springs / Edwards Aquifer Conservation District  
 511 – Austin Neighborhoods Council  
 627 – Onion Creek Homeowners Association  
 658 – Texas Oaks North Neighborhood Association  
 742 – Austin Independent School District  
 786 – Home Builders Association of Greater Austin  
 948 – South by Southeast Neighborhood Organization

### **SCHOOLS**

Casey Elementary School      Paredes Middle School      Charles Akins High School

**CASE HISTORIES.**

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-98-0270	DR, SF-2 to GR	To Grant LO-CO & LR-CO, w/conditions	Approved LR-CO and LO-CO with CO for 2,000 trips, prohibit access to Chisholm Lane, prohibit service station and financial services (7-15-99)
C14-99-0063	SF-2 to LO	To Grant LO-CO, w/conditions	Approved LO-CO with CO prohibiting access to Slaughter Lane (8-19-99)
C14-00-2098	SF-1 to MF-1-CO and LR-CO	To Grant MF-1-CO and LR-CO, w/conditions	Approved MF-1-CO and LR-CO, with CO for Traffic Impact Analysis, 13 24 u p a (300 units), 15' vegetative buffer along David Moore Rd, list of prohibited uses (1-25-01)
C14-00-2111	DR to MF-3	To Grant MF-2-CO w/conditions	Approved MF-2-CO with CO for 12 18 u p a and conditions of Traffic Impact Analysis (10-26-00)
C14-00-2189	DR to W/LO	To Grant W/LO-CO w/conditions	Approved W/LO-CO with CO for 2,000 trips (1-18-01)
C14-00-2242	DR to LR	To Grant LR-CO w/conditions	Approved LR-CO with CO for 2,000 trips (2-15-01)
C14-02-0046	DR to GR-CO	To Grant LR-CO	Approved LR-CO with CO for 2,000 trips and list of prohibited uses (9-26-02)
C14-05-0217	SF-2 to LR-CO	To Grant LO	Approved LO district zoning (4-20-06)

**RELATED CASES:**

The rezoning area consists of a portion of Lot 1 of the Resubdivision of Tract C of the Etta Chappell Estate Farm Tract Subdivision, recorded in April 2001 (C8-95-0231 02 1A) Please refer to Exhibit B

**ABUTTING STREETS:**

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bus Route</b>	<b>Bike Route</b>
West Slaughter Lane	120'	2 @ 36'	Major Arterial	No	Yes	Priority 2

**CITY COUNCIL DATE:** January 25, 2007

**ACTION:** Approved a Postponement request by the Applicant to February 15, 2007 (6-0, Mayor Wynn off the dais)

February 15, 2007

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

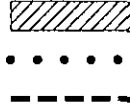
**CASE MANAGER:** Wendy Walsh  
e-mail wendy walsh@c1 austin tx us

**PHONE** 974-7719



1" = 400'

SUBJECT TRACT  
PENDING CASE  
ZONING BOUNDARY  
CASE MGR W WALSH



CASE # C14-06-0112

ADDRESS 1100 BLOCK OF W  
SLAUGHTER LN  
SUBJECT AREA (acres) 2.450

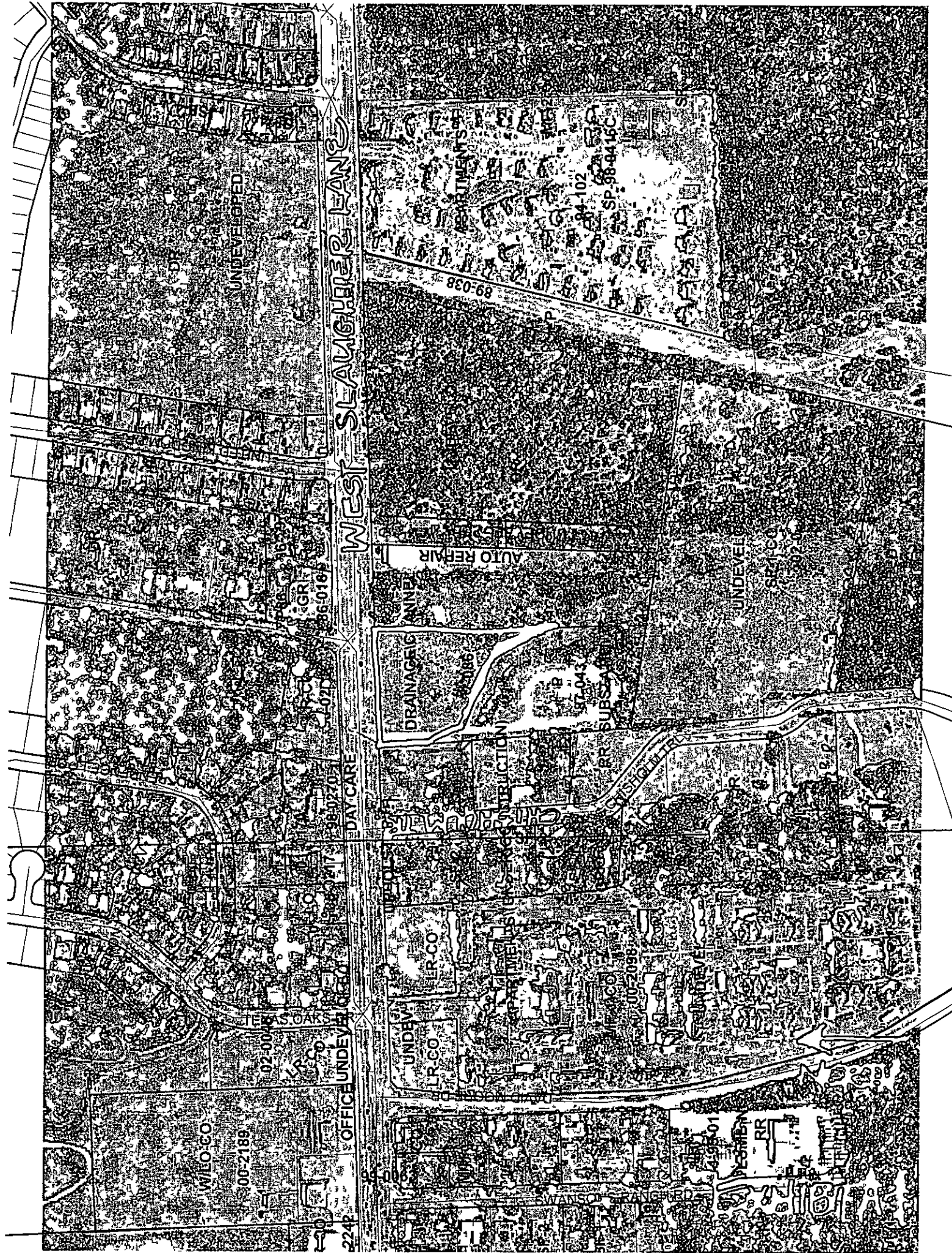
ZONING EXHIBIT A

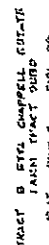
DATE 07-01

INTLS SM

CITY GRID  
REFERENCE  
NUMBER

F14





HE LOST HIS INTEREST IN SMALL HIS OCCUPIED UNIT.  
WAS ATTRACTED BY NEW CONSUMPTION IN LATE  
WAS ATTRACTED BY THE LAND, A COMMUNITY BUILT, AS A  
PUBLIC UTILITY WORKS, IN SOLICITING SUPPORT FOR OPERATION  
OF A POWER PLANT.

EACH FOUNDED IN THIS SUBDIVISION SHALL BE CONNECTED TO A PUBLIC TOWN OR CITY LESS THAN 150 YARDS CARRIER AND WITH A NEAR FIELD OF OPEN LAND. THERE SHALL BE A 100' BUFFER ZONE ON ALL SIDES ADJACENT TO THE TOWN-OWNED COUNTY HEALTH DEPARTMENT, AND SHALL BE INSTALLED IN ACCORDANCE WITH THE REGULATIONS OF THE TOWN'S WATER MAINS UNIT, AND SHALL BE MAINTAINED AND APPROVED BY SUCH UNIT.

ESSEX ZOOLOGICAL RESERVE  
COUNTY HEALTH DEPARTMENT  
Essex Zoological Reserve 1-16-78

DATE RECEIVED BY MAILING UNIT

407 1110 00 1432 2014

40001 03001 04001 05001 06001 07001 08001 09001 10001 11001 12001 13001 14001 15001 16001 17001 18001 19001 20001 21001 22001 23001 24001 25001 26001 27001 28001 29001 30001 31001 32001 33001 34001 35001 36001 37001 38001 39001 40001 41001 42001 43001 44001 45001 46001 47001 48001 49001 50001 51001 52001 53001 54001 55001 56001 57001 58001 59001 60001 61001 62001 63001 64001 65001 66001 67001 68001 69001 70001 71001 72001 73001 74001 75001 76001 77001 78001 79001 80001 81001 82001 83001 84001 85001 86001 87001 88001 89001 90001 91001 92001 93001 94001 95001 96001 97001 98001 99001 10001 10101 10201 10301 10401 10501 10601 10701 10801 10901 11001 11101 11201 11301 11401 11501 11601 11701 11801 11901 12001 12101 12201 12301 12401 12501 12601 12701 12801 12901 13001 13101 13201 13301 13401 13501 13601 13701 13801 13901 14001 14101 14201 14301 14401 14501 14601 14701 14801 14901 15001 15101 15201 15301 15401 15501 15601 15701 15801 15901 16001 16101 16201 16301 16401 16501 16601 16701 16801 16901 17001 17101 17201 17301 17401 17501 17601 17701 17801 17901 18001 18101 18201 18301 18401 18501 18601 18701 18801 18901 19001 19101 19201 19301 19401 19501 19601 19701 19801 19901 20001 20101 20201 20301 20401 20501 20601 20701 20801 20901 21001 21101 21201 21301 21401 21501 21601 21701 21801 21901 22001 22101 22201 22301 22401 22501 22601 22701 22801 22901 23001 23101 23201 23301 23401 23501 23601 23701 23801 23901 24001 24101 24201 24301 24401 24501 24601 24701 24801 24901 25001 25101 25201 25301 25401 25501 25601 25701 25801 25901 26001 26101 26201 26301 26401 26501 26601 26701 26801 26901 27001 27101 27201 27301 27401 27501 27601 27701 27801 27901 28001 28101 28201 28301 28401 28501 28601 28701 28801 28901 29001 29101 29201 29301 29401 29501 29601 29701 29801 29901 30001 30101 30201 30301 30401 30501 30601 30701 30801 30901 31001 31101 31201 31301 31401 31501 31601 31701 31801 31901 32001 32101 32201 32301 32401 32501 32601 32701 32801 32901 33001 33101 33201 33301 33401 33501 33601 33701 33801 33901 34001 34101 34201 34301 34401 34501 34601 34701 34801 34901 35001 35101 35201 35301 35401 35501 35601 35701 35801 35901 36001 36101 36201 36301 36401 36501 36601 36701 36801 36901 37001 37101 37201 37301 37401 37501 37601 37701 37801 37901 38001 38101 38201 38301 38401 38501 38601 38701 38801 38901 39001 39101 39201 39301 39401 39501 39601 39701 39801 39901 40001 40101 40201 40301 40401 40501 40601 40701 40801 40901 41001 41101 41201 41301 41401 41501 41601 41701 41801 41901 42001 42101 42201 42301 42401 42501 42601 42701 42801 42901 43001 43101 43201 43301 43401 43501 43601 43701 43801 43901 44001 44101 44201 44301 44401 44501 44601 44701 44801 44901 45001 45101 45201 45301 45401 45501 45601 45701 45801 45901 46001 46101 46201 46301 46401 46501 46601 46701 46801 46901 47001 47101 47201 47301 47401 47501 47601 47701 47801 47901 48001 48101 48201 48301 48401 48501 48601 48701 48801 48901 49001 49101 49201 49301 49401 49501 49601 49701 49801 49901 50001 50101 50201 50301 50401 50501 50601 50701 50801 50901 51001 51101 51201 51301 51401 51501 51601 51701 51801 51901 52001 52101 52201 52301 52401 52501 52601 52701 52801 52901 53001 53101 53201 53301 53401 53501 53601 53701 53801 53901 54001 54101 54201 54301 54401 54501 54601 54701 54801 54901 55001 55101 55201 55301 55401 55501 55601 55701 55801 55901 56001 56101 56201 56301 56401 56501 56601 56701 56801 56901 57001 57101 57201 57301 57401 57501 57601 57701 57801 57901 58001 58101 58201 58301 58401 58501 58601 58701 58801 58901 59001 59101 59201 59301 59401 59501 59601 59701 59801 59901 60001 60101 60201 60301 60401 60501 60601 60701 60801 60901 61001 61101 61201 61301 61401 61501 61601 61701 61801 61901 62001 62101 62201 62301 62401 62501 62601 62701 62801 62901 63001 63101 63201 63301 63401 63501 63601 63701 63801 63901 64001 64101 64201 64301 64401 64501 64601 64701 64801 64901 65001 65101 65201 65301 65401 65501 65601 65701 65801 65901 66001 66101 66201 66301 66401 66501 66601 66701 66801 66901 67001 67101 67201 67301 67401 67501 67601 67701 67801 67901 68001 68101 68201 68301 68

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# Index



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EXHIBIT B  
RECORDED  
PLAT.



**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to deny community commercial district (GR) zoning.

If the Applicant's request for GR zoning is granted, then the Staff recommends that development should be limited through a conditional overlay to less than 2,000 vehicle trips per day.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

*1. The proposed zoning should be consistent with the purpose statement of the district sought.*

The proposed GR, Community Commercial district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways. The property has access to West Slaughter Lane, an improved, 6-lane major arterial roadway.

The LR, Neighborhood Commercial district is intended for shopping facilities that provide limited business services and offices to the residents of the neighborhood, such as consumer repair services, food sales, service stations, and pet services. The purpose statement listed in the City of Austin *Land Development Code* states: "The Neighborhood Commercial district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment."

*2. Zoning changes should promote compatibility with adjacent and nearby uses.*

Staff supports non-residential land uses along Slaughter Lane, but is concerned that community commercial (GR) zoning would set a precedent for a significant depth (over 400 feet) of more intense commercial zoning on tracts that are not located at an intersection and adjacent to residential uses. For these reasons, the Staff recommends retaining the existing LR district zoning on the property.

**EXISTING CONDITIONS****Site Characteristics**

The site is undeveloped and slopes towards the drainage easement that forms the irregular south property line.

### **Impervious Cover**

The maximum impervious cover allowed by the GR zoning district would be 80% based on the more restrictive watershed regulations.

### **Environmental**

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft )	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

### **Transportation**

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 7,084 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be

limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

### **Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at his own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility adjustments, and utility relocation. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay the associated and applicable City fees.

### **Site Plan and Compatibility Standards**

The site is subject to compatibility standards. Along the west property line, the following standards apply

- No structure may be built within 25 feet of the property line
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-06-0112

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

December 19, 2006 Zoning and Platting

Commission

<input checked="" type="checkbox"/> I am in favor
<input type="checkbox"/> I object

Luther Lawson

Your Name (please print)

9503 & 9502 Chisholm Tr. So.

Your address(es) affected by this application

Luther Lawson

Signature

Date

Comments:

Any thing necessary to remove the RA zoning. It is outdated and unrealistic for this area at this time.

I would also like to see 9502 & 9503 zoned to not only grandfather in but be zoned permanently to commercial. As it should have been when annexed into the city. Light commercial.

Thanks Luther Lawson

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8910

L.R.C.O.

**CITY ZONING AND PLATTING COMMISSION****December 19, 2006****CITY HALL – COUNCIL CHAMBERS****301 W. 2<sup>nd</sup> Street***Annotated & Zoning Summaries*

CALL TO ORDER – 6:00 P.M.

**COMMENCED: 6:10 P.M.****ADJOURNED: 8:55 P.M.**

\_\_\_\_ Betty Baker - Chair

\_\_\_\_ Keith Jackson - Parliamentarian

\_\_\_\_ Jay Gohil

\_\_\_\_ Joseph Martinez – Vice-Chair

\_\_\_\_ Stephanie Hale

\_\_\_\_ Janis Pinnelli

\_\_\_\_ Clarke Hammond – Secretary

\_\_\_\_ Teresa Rabago

\_\_\_\_ James Shieh

*All Present***CONDUCT OF PUBLIC HEARINGS**

1. Chair announces request.
2. Staff presents a summary of the case.
3. Chair calls on those FAVORING the request
4. Applicant's presentation (5 minutes).
5. Others favoring the request (3 minutes).
6. Chair calls on those OPPOSING the request.
7. Primary presentation (5 minutes)
8. Others opposing the request (3 minutes).
9. Applicant is given opportunity to answer objections stated (3 minutes)
10. Staff summation and questions from the Commission.
11. The public hearing on a zoning case may be closed and no further testimony is taken from the public.
12. If the public hearing is closed, the Commission shall make a recommendation to the City Council within 14 days or the case will be forwarded to the City Council without a recommendation. (Section 25-2-282).

All of the following items may be acted upon by one motion. The Commission does not consider items earlier than the time stated on the agenda, "Other Business" items can be taken at any time. After the posted time, the Commission Chairperson may announce the item and, if there is no opposition, the item may be taken "by consent" for approval without discussion.

**CITIZENS WISHING TO SPEAK BEFORE THE COMMISSION MUST REGISTER BY SIGNING A LIST AT THE ENTRANCE (RED BOOK).**

Any interested party aggrieved by a decision of the Zoning & Platting Commission on a Hill Country Site Plan, Conditional Use Permit, Replacement Site Plan, or a Preliminary Subdivision Plan with an environmental variance may only appeal the Commission's decision to the City Council. The notice of appeal must be submitted in writing on a form provided by the Director of Neighborhood Planning & Zoning Department within fourteen (14) days following the decision of the Zoning & Platting Commission.

The Commission may recommend additional future land use designations that have not been requested or future land use designations that are more or less intensive than the requested future land use. The Commission may also recommend zoning that includes combining districts such as mixed use, conditional overlays, or other combining districts.

**7. Rezoning: C14-06-0112 - Slaughter 2.458**  
Location. 1100 Block of West Slaughter Lane, Slaughter Creek Watershed  
Owner/Applicant: Herby's Joint Venture (Jimmy Nassour)  
Agent. Jim Bennett Consulting (Jim Bennett)  
Request: LR to GR  
Staff Rec.: **Not Recommended**  
Staff: Wendy Walsh, 974-7719, wendy.walsh@ci.austin.tx.us  
Neighborhood Planning and Zoning Department

**APPROVED STAFF'S RECOMMENDATION TO DENY GR ZONING.**  
**[C.HAMMOND, J.PINNELLI 2<sup>ND</sup>] (8-1) J.MARTINEZ – NAY**

**SUMMARY**

*Wendy Walsh, staff, gave staff presentation.*

*Commissioner Baker – Did you mention upholstery uses?*

*Ms. Walsh – Yes, at the corner of Chisholm Trail South.*

*Commissioner Baker – So this is SF-2 zoning?*

*Ms. Walsh – It is SF-2, this is probably a use that was in place when this property was annexed in the 1990's*

*Commissioner Baker – So the auto repair in the DR zoning would also be a legal non-conforming?*

*Ms. Walsh – Yes.*

*Jim Bennett, applicant – The property east to us is zoned DR, but there is an automotive repair shop that is a GR use. We have agreed to prohibit automotive related type uses, as well as to prohibit drop off and recycling, hotel & motel and pawnshop services. There isn't any residential immediately adjacent or close by, we're intending to build a retail strip center and we think that due to the size and shape of the property and the uses that are there to support the GR zoning, we feel that the GR zoning is the most appropriate.*

**FAVOR**

*No speakers.*

**OPPOSITION**

*Leslie McCollum, Texas Oaks South Neighborhood Association – Spoke in opposition. We would like to limit this to the LR zoning that currently exists and not see anymore GR uses.*

REBUTTAL

*Jim Bennett – Slaughter Lane is a major arterial, it has 120 feet of right-of-way, it is 3-lanes with turn lanes and median breaks. This would afford the people who live in apartments on Slaughter Lane, to walk to shops*

*Commissioner Martinez and Gohil moved to close the public hearing.*

*Commissioner Hammond – I move to approve staff recommendation.*

*Commissioner Pinnelli – Second.*

*No discussion.*

*Commissioner Martinez – I am opposed to the motion.*

*Motion carried.*

- 8. Zoning: C14-06-0203 - Cullen Zoning**  
 Location: 9006 Cullen Lane, Slaughter / Onion Creeks Watershed  
 Owner/Applicant: Weldon J. Schmidt  
 Agent: Armbrust & Brown, L.L.P. (Amanda Morrow)  
 Request: I-RR to GR  
 Staff Rec.: **Recommendation Pending**  
 Staff: Wendy Walsh, 974-7719, wendy.walsh@ci.austin.tx.us  
 Neighborhood Planning and Zoning Department

**POSTPONED TO 01/23/07 (STAFF, APPLICANT & NEIGHBORHOOD)**  
**[J.MARTINEZ, S.HALE 2<sup>ND</sup>] (9-0)**

- 9. Zoning: C14-06-0204 - Slaughter Zoning**  
 Location: 160 West Slaughter Lane, Slaughter / Onion Creeks Watershed  
 Owner/Applicant: A. King Enterprises Management, Ltd. (Alma King Fancher)  
 Agent: Armbrust & Brown, L.L.P. (Amanda Morrow)  
 Request: I-RR to GR  
 Staff Rec.: **Recommendation Pending**  
 Staff: Wendy Walsh, 974-7719, wendy.walsh@ci.austin.tx.us  
 Neighborhood Planning and Zoning Department

**POSTPONED TO 01/23/07 (STAFF, APPLICANT & NEIGHBORHOOD)**  
**[J.MARTINEZ, S.HALE 2<sup>ND</sup>] (9-0)**